

AMENDMENT TO THE POUGHKEEPSIE-DUTCHESS COUNTY TRANSPORTATION COUNCIL (PDCTC) BYLAWS

WHEREAS, the Poughkeepsie-Dutchess County Transportation Council (PDCTC) has been designated by the Governor of the State of New York as the Metropolitan Planning Organization (MPO) responsible, together with the State, for the comprehensive, continuing, and cooperative transportation planning process for the Dutchess County portions of the Poughkeepsie-Newburgh NY-NJ and New York-Newark NY-NJ-CT Urbanized Areas; and,

WHEREAS, the federal surface transportation programs that are the responsibility of the Poughkeepsie-Dutchess County Transportation Council are authorized by the Fixing America's Surface Transportation (FAST) Act (Pub. L. 112-141, December 4, 2015); and,

WHEREAS, Section 1201 of the FAST Act establishes the requirements for metropolitan transportation planning in 23 U.S.C. 134; and,

WHEREAS, it is the responsibility of the Poughkeepsie-Dutchess County Transportation Council to ensure that the metropolitan transportation planning process is consistent with applicable Federal and State law, and local area objectives; and,

WHEREAS, the Poughkeepsie-Dutchess County Transportation Council approved its current Bylaws on December 17, 2014;

WHEREAS, the Poughkeepsie-Dutchess County Transportation Council has developed an amendment to its Bylaws to allow for the use of written and email ballots to determine consensus and make decisions; now therefore be it

RESOLVED, that the Poughkeepsie-Dutchess County Transportation Council approves the attached amendment to its Bylaws.

CERTIFICATE, the undersigned, duly qualified and acting Secretary of the Poughkeepsie-Dutchess County Transportation Council, certifies that the foregoing is a true and correct copy of a resolution adopted on March 24, 2016.

Date

By _____
Todd B. Westhuis, P.E., Acting Secretary
Poughkeepsie-Dutchess County
Transportation Council

Resolution 16-01: Amendment to the PDCTC Bylaws

10. DECISION MAKING

All actions taken by the Council shall be by consensus of voting members, with consensus defined as unanimity of affected parties. An action brought before the Council must pass without objection. An abstention shall not be counted as a negative vote. An affected party is a Council member that is directly affected by the proposed activity needing consent. Consensus can result from a vote taken at a Council meeting, or from a written ballot of the Council members conducted by Council staff. The Chairperson shall judge the extent to which members are affected by proposed Council actions and shall declare a consensus, or the lack thereof, as the case may be.

Council Meetings

The presence of a majority of voting members, defined as more than half, shall constitute a quorum of the Council, and a quorum shall be required for the Council to vote on an action. Each voting member shall be entitled to one vote on each action brought before the Council. The Chairperson or Secretary shall make a motion to vote on each action and record any negative vote(s). In order to carry a motion, there must be an affirmative vote by all voting members present, provided a quorum has been established. A duly passed resolution of the Council, on any matter properly brought before the Council, shall be the act of the Council.

Written Ballots

A written poll of the Council shall be conducted in the following manner:

1. Council staff shall distribute the proposed action and any supporting documentation to the voting members of the Council. The notice shall specify the deadline for response to the ballot and request confirmation of receipt. If, by the specified ballot deadline, Council staff has verified by phone or email that all voting members have received the ballot, and no negative responses have been received, the Chairperson shall presume concurrence and shall be empowered to declare the Council's approval of the proposed action.
2. Council members who wish to vote negatively, or who have comments, may indicate so by telephone, but are required to provide written confirmation of such action. Council members who vote negatively will be requested to provide the reason to assist Council staff or other members to address the issue prompting the negative vote.
3. If any negative votes are received, or if any member has questions, comments, or concerns about the proposed action, the Secretary may suspend, delay, or terminate the balloting until the matter is resolved.
4. The submission of a majority of voting ballots, defined as more than half of voting members, shall constitute a quorum of the Council, and a quorum shall be required for the Council to carry a motion.
5. When the poll has been concluded, either with the Council's approval, or by virtue of a termination of the balloting, the Secretary shall prepare a record of the decision.
6. In those cases where responses to a proposed action are required in a short period of time, wherein the conclusion of a written poll is unlikely, the poll shall be conducted by email. For email ballots, Council staff will include the voting member's Planning Committee representative in the ballot message.